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JORGE TAYLOR
646 Saint Nicholas Avenue
Apt 102
New York, NY 10030

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JUN 21 2006

OFFICE OF PETITIONS

In re Patent No. 5,178,701 :
Jorge Taylor :
Issue Date: January 12, 1993 : ON
Application No. 07/710,752 : PETITION
Filed: May 31, 1991 :
Title: CHEMICAL SEALANT DEVICE:
FOR REPAIRING FLAT TIRES :

This is in response to the communication received June 15, 2006. Patentee disputes the requirement that a (refundable) fee be paid for consideration of a petition under 37 CFR 1.377.

The patent issued January 12, 1993. The window for paying the 7-½ year maintenance fee without surcharge extended from January 12, 2000 through July 12, 2000. The window for paying the 7-½ year maintenance fee with surcharge opened on July 13, 2000, and extended to January 12, 2001.

Patentee asserts that the fee in the amount of \$1,030 was timely submitted. However, patentee does not enclose the petition fee. By decision mailed November 22, 2005¹, the petition was dismissed without consideration on the merits. Patentee was advised that a fee of \$200, refundable if it was found that the failure to accept and record the maintenance fee was the fault of the Office, was required.

On instant response, patentee argues that the petition fee should be waived.

¹ The decision was originally mailed September 12, 2005; however, it was re-mailed on November 22, 2005 as the first address used was incorrect.

The petition fee is subject to refund. However, the payment of the fee is required for consideration of the petition. Patentee's arguments have been considered but not found persuasive that the fee should be waived.

Given the continued failure to submit the petition fee, the petition under § 1.377 is again **DISMISSED** without consideration on the merits.

Even if the fee were waived, patentee is advised that the maintenance fee would not be accepted as timely filed. As previously stated, the required fees due January 2001 totalled \$1,040. However, patentee only submitted \$1,030. More importantly, a closer review of the record reveals that the payment was received on January 17, 2001. A copy of the fee transmittal as originally filed is present in the application. The transmittal was dated January 12, 2001, but did not include a certificate of mailing. Thus, in addition to being deficient by \$10, the response was filed 5 days after the end of the window for payment with surcharge. Thus, accepting that \$1,030 was submitted on January 17, 2001, it cannot be concluded that the required maintenance fee and surcharge to accept late maintenance fee were timely submitted. Accordingly, the patent is properly considered expired.

Patentee's response to be considered timely should be submitted within **TWO (2) MONTHS** from the mail date of this communication. Extensions of time under § 1.136(a) are not permitted. This period for reply is governed by § 1.181(f).

Alternatively, patentee is not precluded from seeking reinstatement of the patent under the stringent unavoidable standard. 37 CFR 1.378(b) provides that:

Any petition to accept an unavoidably delayed payment of a maintenance fee filed under paragraph (a) of this section must include:

- (1) The required maintenance fee set forth in § 1.20 (e) through (g);
- (2) The surcharge set forth in § 1.20(i)(1); and
- (3) A showing that the delay was unavoidable since reasonable care was taken to ensure that the maintenance fee would be paid timely and that the petition was filed

promptly after the patentee was notified of, or otherwise became aware of, the expiration of the patent. The showing must enumerate the steps taken to ensure timely payment of the maintenance fee, the date and the manner in which patentee became aware of the expiration of the patent, and the steps taken to file the petition promptly.

Any petition under 1.378(b) should be promptly filed.

Patentee is further advised that if the delayed payment of the maintenance fee is not ultimately accepted under 1.377 or 1.378, the maintenance fee and the surcharge set forth in § 1.20(i) (currently received \$1,030) will be refunded following the decision on the petition for reconsideration, or after the expiration of the time for filing such a petition for reconsideration, if none is filed. However, any petition fee (\$200) under this section will not be refunded unless the refusal to accept and record the maintenance fee is determined to result from an error by the Patent and Trademark Office.

Patentee should advise the Office of the intention to or not to file a petition.

For patentee's convenience, a change of address form to correct the correspondence address for the patent is enclosed.

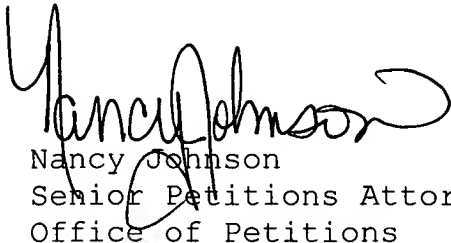
Further correspondence with respect to this decision should be addressed as follows:

By mail: Mail Stop Petition
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

By fax: (571) 273-8300
 ATTN: Office of Petitions

By hand: Customer Service Window
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

Telephone inquiries specific to this decision may be directed to the undersigned at (571) 272-3219.

A handwritten signature in black ink, appearing to read "Nancy Johnson". The signature is fluid and cursive, with the first name "Nancy" written in a larger, more prominent script than the last name "Johnson".

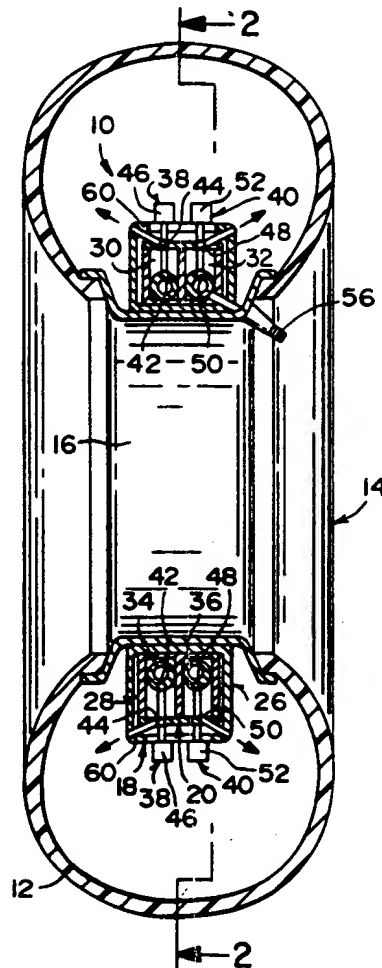
Nancy Johnson
Senior Petitions Attorney
Office of Petitions

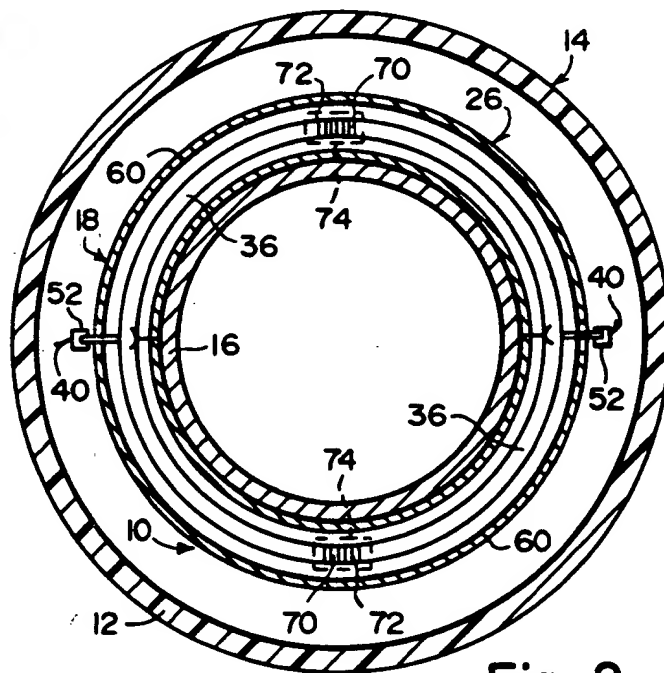
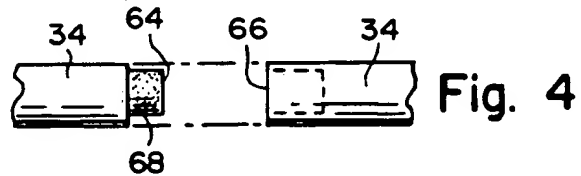
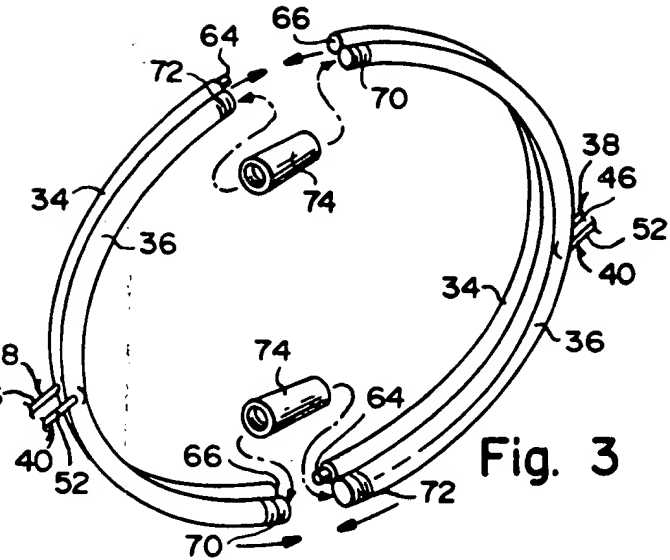
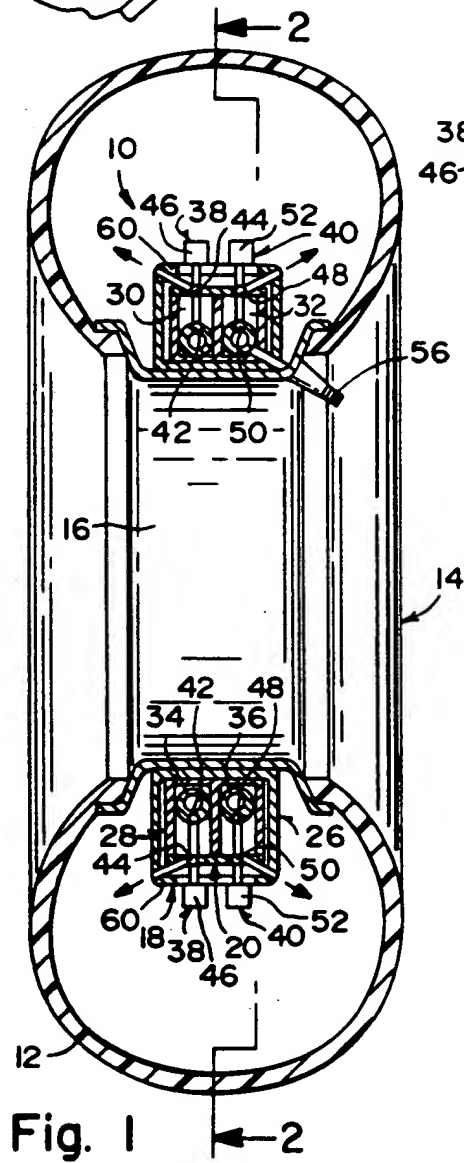
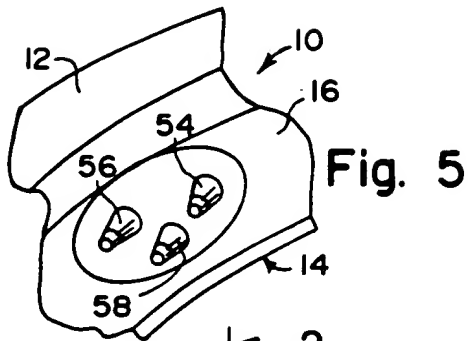


US005178701A

United States Patent [19][11] **Patent Number:** **5,178,701****Taylor**[45] **Date of Patent:** **Jan. 12, 1993****[54] CHEMICAL SEALANT DEVICE FOR
REPAIRING FLAT TIRES****FOREIGN PATENT DOCUMENTS****[76] Inventor:** **Jorge Taylor**, 104 Alcolade Dr. East,
Shirley, N.Y. 119672651520 5/1978 Fed. Rep. of Germany .
0015204 2/1979 Japan .**[21] Appl. No.:** **710,752****Primary Examiner**—Michael W. Ball
Assistant Examiner—Francis J. Lorin
Attorney, Agent, or Firm—Richard L. Miller**[22] Filed:** **May 31, 1991****[57] ABSTRACT****[51] Int. Cl.⁵** **B29C 73/22; B60C 17/00****[52] U.S. Cl.** **152/509; 152/418;**
152/516**[58] Field of Search** **152/502, 503, 504, 505,**
152/506, 507, 509, 337.1, 338.1, 341.1, 342.1,
418, 516, 518, 519, 520

A chemical sealant device is provided for repairing a flat tire of a wheel, which consists of a rim for supporting and fitting a tire thereabout. A first mechanism is on the interior of the rim for carrying a portion of the load of the wheel after the tire is punctured and becomes partially flat. A second mechanism is within the first carrying mechanism for releasing at predetermined intervals of rotation of the wheel, tire chemical sealant and compressed air into the tire so that eventually the tire will be repaired and tire pressure will be at least partially restored, whereby road damage to the tire will be prevented.

[56] References Cited**U.S. PATENT DOCUMENTS**3,511,294 5/1970 Bepristis et al. 152/418
3,941,843 1/1976 Edwards et al. 152/509 X
4,263,953 4/1981 Nicelli 152/520 X**4 Claims, 2 Drawing Sheets**



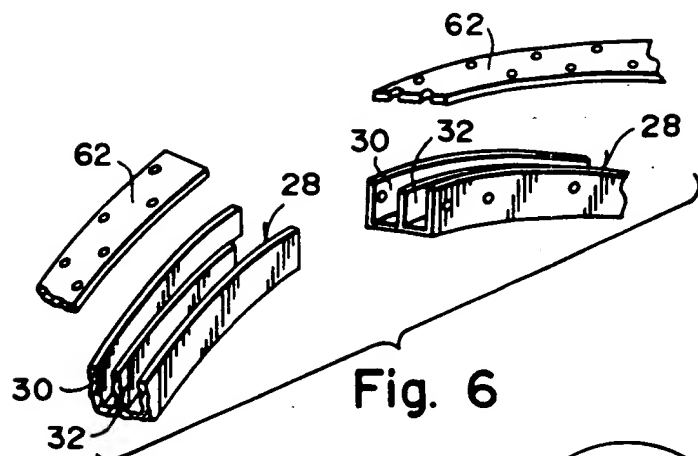


Fig. 6

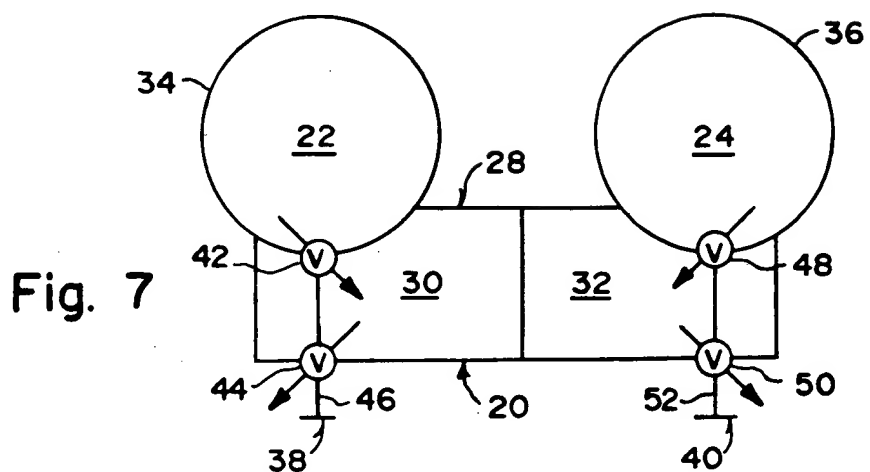


Fig. 7

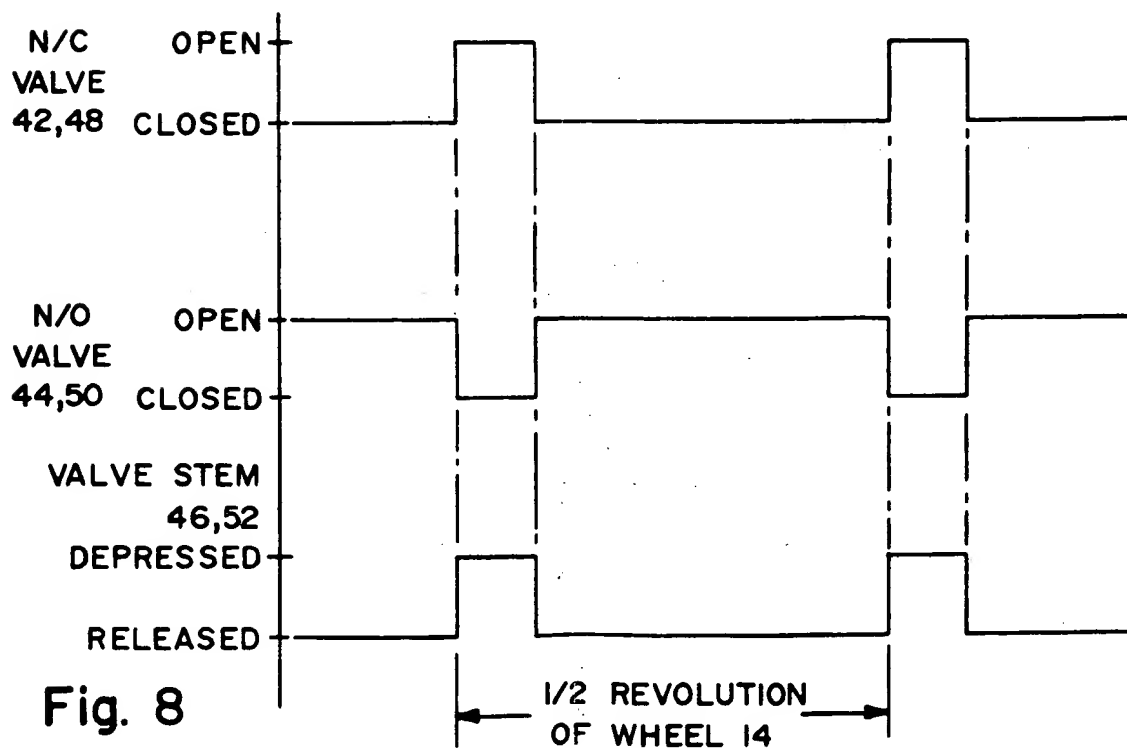


Fig. 8

CHEMICAL SEALANT DEVICE FOR REPAIRING FLAT TIRES

BACKGROUND OF THE INVENTION

The instant invention relates generally to tire repair and more specifically it relates to a chemical sealant device for repairing a flat tire automatically while the tire remains in use on the vehicle.

Numerous tire repair kits have been provided in the prior art that are adapted to remove the tire from the rim and plug up punctures in the tire. For example, U.S. Pat. Nos. 3,963,417 to Placek; 4,317,692 to Niconchuk and 4,710,249 to Roberts all are illustrative of such prior art. While these units may be suitable for the particular purpose to which they address, they would not be as suitable for the purpose of the present invention as hereafter described.

SUMMARY OF THE INVENTION

A primary object of the present invention is to provide a chemical sealant device for repairing a flat tire that will overcome the shortcomings of the prior art devices.

Another object is to provide a chemical sealant device for repairing a flat tire that includes a valve system built into the tire wheel rim to release at predetermined intervals of rotation the chemical sealant and compressed air when the tire is punctured, thereby preventing a road hazard accident.

An additional object is to provide a chemical sealant device for repairing a flat tire that does away with the fastidious time consuming task of fixing the flat before being able to safely drive.

A further object is to provide a chemical sealant device for repairing a flat tire that is simple and easy to use.

A still further object is to provide a chemical sealant device for repairing a flat tire that is economical in cost to manufacture.

Further objects of the invention will appear as the description proceeds.

To the accomplishment of the above and related objects, this invention may be embodied in the form illustrated in the accompanying drawings, attention being called to the fact, however, that the drawings are illustrative only and that changes may be made in the specific construction illustrated and described within the scope of the appended claims.

BRIEF DESCRIPTION OF THE DRAWING FIGURES

The figures in the drawings are briefly described as follows:

FIG. 1 is a diagrammatic cross sectional view of a wheel with parts broken away with the instant invention installed therein;

FIG. 2 is another diagrammatic cross sectional view taken on line 2—2 of FIG. 1;

FIG. 3 is a diagrammatic perspective view of the chemical and air vessels of the instant invention;

FIG. 4 is a diagrammatic elevational view showing the securement mechanism for the tire chemical sealant vessel;

FIG. 5 is a perspective view with parts broken away of the fill inlets;

FIG. 6 is a diagrammatic perspective view with parts broken away of the inner torus member;

FIG. 7 is a diagrammatic representation of the valve system; and

FIG. 8 is a timing diagram indicating the sequence of events in which material is released by the valve system.

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENTS

Turning now descriptively to the drawings, in which similar reference characters denote similar elements throughout the several views, the Figures illustrate a chemical sealant device 10 for repairing a flat tire 12 of a wheel 14, which consists of a rim 16 for supporting and fitting the tire 12 thereabout. A mechanism 18 is on the interior of the rim 16 for carrying a portion of the load of the wheel 14 after the tire 12 is punctured and becomes partially flat. Another mechanism 20 is within the carrying mechanism 18, for releasing at predetermined intervals of rotation of the wheel 14, tire chemical sealant 22 and compressed air 24 into the tire 12 so that eventually the tire 12 will be repaired and tire pressure will be at least partially restored, whereby road damage to the tire will be prevented.

The carrying mechanism 18 includes an outer hollow torus member 26 affixed onto the interior surface of the rim 16. The releasing mechanism 20 includes an inner hollow torus member 28 having dual side by side annular chambers 30 and 32, whereby the inner hollow torus member 28 is disposed within the outer hollow torus member 26. A first annular vessel 34 is placed into the first annular chamber 30 of the inner hollow torus member 28. The first annular vessel 34 holds the tire chemical sealant 22 therein. A second annular vessel 36 is placed into the second annular chamber 32 of the inner hollow torus member 28. The second annular vessel 36 holds the compressed air 24 therein. A first valve system 38 is connected to the first annular vessel 34, so that when the first valve system 38 is activated by the rotation of the wheel 14, it will release some of the tire chemical sealant 22 into the first annular chamber 30 of the inner hollow torus member 28. When the first valve system 38 is deactivated by the continued rotation of the wheel 14, it will release the tire chemical sealant 22 from the first annular chamber 30 of the inner hollow torus member 28 into the tire 12 to seal the puncture. A second valve system 40 is connected to the second annular vessel 36, so that when the second valve system 40 is activated by the rotation of the wheel 14, it will release some of the compressed air 24 into the second annular chamber 32 of the inner hollow torus member 28. When the second valve system 40 is deactivated by the continued rotation of the wheel 14, it will release the compressed air 24 from the second annular chamber 32 of the inner hollow torus member 28 into the tire 12 to inflate the tire 12.

The first valve system 38 includes a normally closed valve 42 between the first annular vessel 34 and the first annular chamber 30 of the inner hollow torus member 28. A normally opened valve 44 is between the first annular chamber 30 of the inner hollow torus member 28 and the interior of the tire 12. A valve stem 46 is connected to the normally closed valve 42 and the normally opened valve 44 and extends outwardly from the outer hollow torus member 26. When the wheel 14 rotates the valve stem 46 will be depressed and released at the predetermined intervals. The second valve system 40 includes a normally closed valve 48 between the

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second annular vessel 36 and the second annular chamber 32 of the inner hollow torus member 28. A normally opened valve 50 is between the second annular chamber 32 of the inner hollow torus member 28 and the interior of the tire 12. A valve stem 52 is connected to the normally closed valve 48 and the normally opened valve 50 and extends from the outer hollow torus member 26. When the wheel 14 rotates the valve stem 52 will be depressed and released at the predetermined intervals.

FIG. 8 is a timing diagram indicating the sequence of events that occur during a half of rotation of the tire when it has become sufficiently flat as to cause the instant invention to become operative. It is to be observed that a short pulse duration occur when the valve systems and the tire in the vicinity of the valve systems is depressed by coming in to contact with the roads surface.

The chemical sealant device 10 further includes a first inlet valve 54 on the rim 16, connected to the first annular vessel 34 so that the first annular vessel 34 can be filled with the tire chemical sealant 22. A second inlet valve 56 on the rim 16, is connected to the second annular vessel 36 so that the second annular vessel 36 can be filled with the compressed air 24. A third inlet valve 58 on the rim 16 is connected to the tire 12 so that the tire 12 can be normally filled with air.

For assembly, the outer hollow torus member 26 is split into two parts and has cover plates 60, while the inner hollow torus member 28 is also split into two parts and has cover plates 62. The first annular vessel 34 and the second annular vessel 36 are also split into two parts. The first annular vessel 34 contains male plugs 64 and female sockets 66 so that adhesive 68 can be applied onto the plugs 64 to properly seal the two parts together. Each part of the second annular vessel 36 contains right handed threads 70 and left handed threads 72 at opposite ends so that each of the two connectors 74 and be threaded thereto to connect the two parts together.

While certain novel features of this invention have been shown and described and are pointed out in the annexed claims, it will be understood that various omissions, substitutions and changes in the forms and details of the device illustrated and in its operation can be made by those skilled in the art without departing from the spirit of the invention.

What is claimed is:

1. A chemical sealant device for repairing a flat tire of a wheel, comprising:

- a) a rim for supporting and fitting a tire thereabout;
- b) carrying means on the interior of said rim for carrying a portion of the load of the wheel after the tire is punctured and becomes partially flat, wherein said carrying means includes an outer hollow torus member affixed onto the interior surface of said rim; and
- c) releasing means within said carrying means, for releasing at predetermined intervals of rotation of the wheel, tire chemical sealant and compressed air into the tire so that eventually the tire will be repaired and tire pressure will be at least partially restored, whereby road damage to the tire will be prevented wherein said releasing means includes:
 - i) an inner hollow torus member having dual side by side annular chambers, whereby said inner hollow torus member is disposed within said outer hollow torus member;
 - ii) a first annular vessel placed into the first annular chamber of said inner hollow torus member, said

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first annular vessel holds the tire chemical sealant therein;

- iii) a second annular vessel placed into the second annular chamber of said inner hollow torus member, said second annular vessel holds the compressed air therein;
- iv) a first valve system connected to said first annular vessel, so that when said first valve system is activated by the rotation of the wheel it will release some of the tire chemical sealant into the first annular chamber of said inner hollow torus member and when said first valve system is deactivated by the continued rotation of the wheel it will release the tire chemical sealant from the first annular chamber of said inner hollow torus member into the tire to seal the puncture; and
- v) a second valve system connected to said second annular vessel, so that when said second valve system is activated by the rotation of the wheel it will release some of the compressed air into the second annular chamber of said inner hollow torus member and when said second valve system is deactivated by the continued rotation of the wheel it will release the compressed air from the second annular chamber of said inner hollow torus member into the tire to at least partially restore tire pressure.

2. A chemical sealant device for repairing a flat tire of a wheel as recited in claim 1, wherein said first valve system includes:

- a) a normally closed valve between said first annular vessel and the first annular chamber of said inner hollow torus member;
- b) a normally opened valve between the first annular chamber of said inner hollow torus member and the interior of the tire; and
- c) a valve stem connected to said normally closed valve and said normally opened valve and extending outwardly from said outer hollow torus member so that when the wheel rotates said valve stem will be depressed and released at the predetermined intervals.

3. A chemical sealant device for repairing a flat tire of a wheel as recited in claim 2, wherein said second valve system includes:

- a) a normally closed valve between said second annular vessel and the second annular chamber of said inner hollow torus member;
- b) a normally opened valve between the second annular chamber of said inner hollow torus member and the interior of the tire; and
- c) a valve system connected to said normally closed valve and said normally opened valve and extending outwardly from said outer hollow torus member so that when the wheel rotates said valve stem will be depressed and released at the predetermined intervals.

4. A chemical sealant device for repairing a flat tire of a wheel as recited in claim 3, further including:

- a) a first inlet valve on the rim connected to said first annular vessel so that said first annular vessel can be filled with the tire chemical sealant;
- b) a second inlet valve on the rim connected to said second annular vessel so that said second annular vessel can be filled with the compressed air; and
- c) a third inlet valve on the rim connected to the tire so that the tire can be normally filled with air.

* * * * *